

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff)	
)	
v.)	Criminal Action
)	No. 21-03144-01-CR-S-MDH
EVAN B. MARSHALL,)	
)	
Defendant.)	

ORDER

After the United States orally moved for pretrial detention, a hearing was held in this matter pursuant to § 3142(f), Title 18, United States Code. The defendant was present personally and with his counsel Nancy Price, attorney at law. The United States was represented by Shannon Kempf, Assistant United States Attorney.

A complaint and supporting affidavit have been filed in this case. The affidavit supports a finding of probable cause to believe that the offense charged was committed by this defendant. Based on the evidence presented at the hearing, there are no conditions the Court can impose that would reasonably assure the safety of other persons or the community.

The factors to be considered by the Court are enumerated in Title 18, United States Code, Section 3142(g). The evidence at the detention hearing established that the weight of the evidence is overwhelming.

Regarding the potential danger to the community, the Court notes the nature of the instant offense and the defendant's criminal history which includes prior arrests and convictions, violent

behavior history, and possession of 67 firearms at the time of his arrest for the instant offense. In addition, the Court notes defendant's substance abuse history.

Based on all the foregoing, the Courts finds by clear and convincing evidence that the defendant is a danger to the community.

IT IS THEREFORE ORDERED that the defendant be and is hereby detained without bail.

IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States, or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDRED.

DATED: November 22, 2021

/s/ David P. Rush
DAVID P. RUSH
United States Magistrate Judge